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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF:

KENNETH H. SUMMER, D.D.S. :

TO PRACTICE DENTISTRY IN THE :
STATE OF NEW JERSEY :

Civil Action

ORDER

This matter was opened to the New Jersey State Board of Dentistry on August 24, 1983, by way of Petition seeking modification of the Final Decision and Order originally issued by the New Jersey State Board of Dentistry on May 13, 1980. Petitioner, Kenneth H. Summer, D.D.S., is represented by Sidney I. Sawyer, Esq., Sawyer, Gale, & Doyle, and the State Board of Dentistry is represented by Irwin I. Kimmelman, Attorney General of New Jersey, Israel David Dubin, Deputy Attorney General, appearing.

Specifically, Petitioner requested that the State Board of Dentistry relax the provision of the original order that provided that Petitioner shall at all times, while rendering dental treatment, be accompanied by a dental assistant whose identity shall be made known to and approved by the Board, and insure that said dental assistant submit written reports to the Board every sixty days attesting to the fact that the dental assistant has at all times

been present whenever Petitioner Kenneth H. Summer, D.D.S. has attended any patient. In support of this petition, Dr. Summer testified that said provision has imposed a great hardship upon his patients, his wife and himself. Dr. Summer testified that inasmuch as his dental office is in his residence, he is frequently called upon by patients for emergency service at all hours of the day and night and since his wife, who is his dental assistant and receptionist, is not always available, he is sometimes constrained to turn away patients in need of emergency care.

In further support of said Petition, Dr. Summer provided the Board with a letter from his treating psychiatrist, Dr. O. Quentin Hyder. In his letter Dr. Hyder stated that Dr. Summer had made excellent progress in therapy over the past three years and was no longer in need of professional care. Dr. Hyder also opined that he saw no necessity for the restrictions on Dr. Summer's practice being continued.

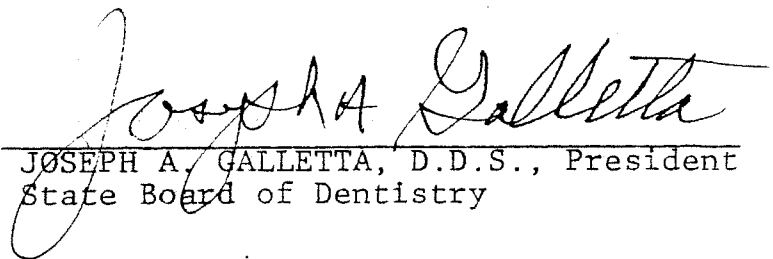
THEREFORE, it is on this 12th day of September, 1983,

ORDERED that Kenneth H. Summer, D.D.S., shall not render any dental treatment after normal business hours or on what would otherwise be days off unless, in addition to the patient being treated, another adult is present at all times; and it is further

ORDERED that Kenneth H. Summer, D.D.S. shall insure that written reports listing the names and addresses of all patients treated after hours or on days off and the names of the adults present during said treatments are submitted to the Board semiannually,

with the first report being submitted to the Board by no later than March 15, 1984; and it is further

ORDERED that Kenneth H. Summer, D.D.S., shall not possess, administer, prescribe, dispense or utilize nitrous oxide or any drug or compound designed to sedate or render persons unconscious.


JOSEPH A. GALLETTA, D.D.S., President
State Board of Dentistry